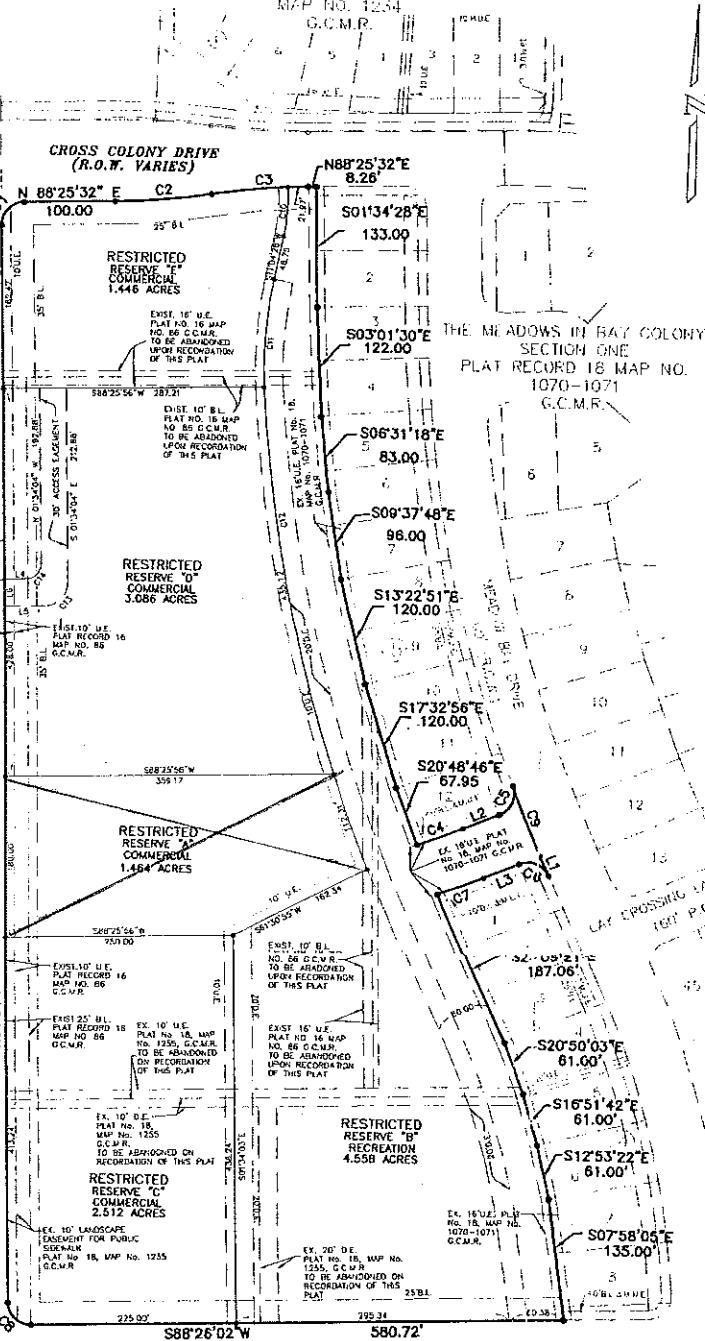


ENCLAVE AT BAY COLONY

PLAT RECORD 13

MAP NO. 1254

G.C.M.R.



METES AND BOUNDS DESCRIPTION
FOR A 13.067 ACRE TRACT OF LAND
OUT OF THE PERRY AND AUSTIN UPPER LEAGUE, ABSTRACT 19
GALVESTON COUNTY, TEXAS

Being a 13.067 acre tract of land out of the Perry and Austin Upper League, Abstract 19, Galveston County, Texas, and being out of and a portion of a called 90.9173 acre tract of land as described in a called 228.7475 acre tract as described of land as described in a deed to Nuway Development Company by Special Warranty Deed with Vendors Lien in Film Code Number 011-94-0284 of the Official Public Records of Real Property, Galveston County, Texas, and being a portion of Reserve "P" Bay Colony Reserves Section Two as recorded under Plat Record 18 Map Numbers 85, 87 and 88 and being all of Bay Colony Athletic Center, as recorded by metes and bounds as follows with all bearings being referenced to the North line of The Meadows in Bay Colony, Section One as recorded in Plat Record 18, Map Numbers 1070 and 1071 of the Galveston County Map Records;

BEGINNING at a 1/2-inch iron rod found, in the transitional right-of-way line of Cross Colony Drive (Variable Width) and the East right-of-way line of F.M. 646 (120-foot wide right-of-way), as recorded in Volume 3011, Page 552, of the Galveston County Deed Records, Galveston County, Texas;

THENCE along the arc of a curve to the right being in the South right-of-way line of said Cross Colony Drive, having a radius of 25.00 feet, a central angle of 80° 00' 00", an arc length of 39.27 feet, and a long chord which bears North 43° 23' 32" East, 35.36 feet, to a 3/4-inch iron rod found for corner in the South right-of-way line of Cross Colony Drive;

THENCE along the arc of a curve to the right being in the South right-of-way line of Cross Colony Drive, the following calls:

- North 88° 25' 32" East, 100.00 feet, to a 3/4-inch iron rod found for corner and the beginning of a 750.00 foot radius, curve to the left;

- Along the arc of said 750.00 foot radius, curve to the left, having a central angle of 08° 05' 35", an arc length of 106.15 feet, and a long chord which bears North 84° 22' 14" East, 106.07 feet, to a 1/2-inch iron rod found, at the beginning of a 750.00 foot radius, curve to the right;

- Along the arc of said 750.00 foot radius, curve to the right having a central angle of 02° 05' 35", an arc length of 106.15 feet, and a long chord which bears North 84° 22' 14" East, 106.07 feet, to a 3/4-inch iron rod found;

- North 88° 25' 32" East, 8.26 feet, to a 1/2-inch iron rod found for the Northeast corner of herein described tract and the Northwest corner of said Meadows in Bay Colony, Section One;

THENCE along the West lines of said Meadows in Bay Colony, Section One the following calls:

- South 01° 34' 28" East, 133.00 feet, to a 1/2-inch iron rod found;

- South 03° 01' 30" East, 122.00 feet, to a 3/4-inch iron rod found;

- South 06° 31' 18" East, 83.00 feet, to a 1/2-inch iron rod found;

- South 09° 37' 48" East, 96.00 feet, to a 1/2-inch iron rod found;

- South 13° 22' 51" East, 120.00 feet, to a 1/2-inch iron rod found;

- South 17° 32' 56" East, 120.00 feet, to a 3/4-inch iron rod with cap stamped "Dannenbaum Engineering" set;

- South 20° 48' 46" East, 67.95 feet, to a 3/4-inch iron rod with cap stamped "Dannenbaum Engineering" set, for corner and the beginning of a 720.00 foot radius, non-tangent curve to the left;

THENCE along the arc of said 720.00 foot radius, non-tangent curve to the left, having a central angle of 04° 16' 35", an arc length of 53.74 feet, and a long chord which bears North 69° 02' 03" East, 53.73 feet to a 3/4-inch iron rod found;

THENCE North 68° 53' 46" East, 41.97 feet, to a 3/4-inch iron rod found for corner and the beginning of a 25.00 foot radius curve in the left;

THENCE along the arc of said 25.00 foot radius, curve to the left, having a central angle of 37° 58' 23", an arc length of 38.39 feet, and a long chord which bears North 22° 54' 34" East, 34.72 feet, to a 3/4-inch iron rod found, on the southwesterly right-of-way line of Meadow Bay Drive (60' Right-of-way) and the beginning of a 153.00 foot radius non-tangent curve to the left;

THENCE along the arc of said 153.00 foot radius, curve to the left, with said right-of-way line, having a central angle of 03° 09' 41", an arc length of 84.42 feet, and a long chord which bears South 22° 39' 28" East, 84.41 feet, to a 3/4-inch iron rod found for corner;

THENCE South 24° 14' 18" East, 24.22 feet, with said right-of-way line, to a 3/4-inch iron rod found at the beginning of a 25.00 foot radius, non-tangent curve to the left;

THENCE along the arc of said 25.00 foot radius, non-tangent curve to the left, having a central angle of 88° 51' 56", an arc length of 38.77 feet, and a long chord which bears North 68° 40' 16" West, 35.00 feet to a 3/4-inch iron rod found;

THENCE South 65° 53' 45" West, 41.78 feet, to a 3/4-inch iron rod found, at the beginning of a 780.00 foot radius, curve to the right;

THENCE along the arc of said 780.00 foot radius, curve to the right, having a central angle of 03° 57' 09", an arc length of 53.81 feet, and a long chord which bears South 68° 52' 20" West, 53.80 feet, to a 3/4-inch iron rod found;

THENCE continuing along the West lines of said Meadows in Bay Colony, Section One, the following calls:

- South 24° 03' 21" East, 187.06 feet, to a 1/2-inch iron rod found;

- South 20° 50' 03" East, 61.00 feet, to a 3/4-inch iron rod found;

- South 16° 51' 42" East, 61.00 feet, to a 3/4-inch iron rod found;

- South 12° 53' 22" East, 61.00 feet, to a 3/4-inch iron rod found;

- South 07° 58' 05" East, 135.00 feet to a 3/4-inch iron rod found in the north right-of-way line of Bay Colony Elementary Drive (60 foot wide right-of-way);

THENCE South 88° 26' 02" West, of 580.72 feet, along the north right-of-way line of said Bay Colony Elementary Drive to a 3/4-inch iron rod found, at the beginning of a 25.00 foot radius, curve to the right;

THENCE along the arc of said 25.00 foot radius, curve to the right, being in the transitional right-of-way angle of 89° 59' 54", an arc length of 39.27 feet, and a long chord which bears North 46° 33' 59" West, 35.35 feet, to a 3/4-inch iron rod found for corner in the South right-of-way line of Cross Colony Drive;

THENCE North 01° 34' 04" West, 1203.71 feet, to the POINT OF BEGINNING and containing 13.067 acres of land, more or less.

228.7475 ACRES
NUWAY DEVELOPMENT
COMPANY
G.C.C.R. NO. 01C-58-2145

LINE TABLE		
LINE	LENGTH	BEARING
L1	24.22	S24°14'18"E
L2	41.97	N68°53'46"E
L3	41.78	S66°53'46"W
L4	25.00	N68°25'56"E
L5	45.00	N68°25'56"E
L6	30.00	N01°34'04"W

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD
C1	39.27	25.00	90°00'00"	25.00	53.36
C2	106.15	750.00	80°36'53"	53.17	106.07
C3	114.42	760.24	83°27'23"	57.32	114.31
C4	53.74	720.00	41°16'35"	26.88	53.73
C5	38.39	25.00	87°58'23"	24.13	34.72
C6	38.77	25.00	88°51'56"	24.51	35.00
C7	55.81	780.00	3°57'09"	26.92	53.80
C8	39.27	25.00	89°58'54"	25.00	35.35
C9	64.42	153.00	0°09'41"	42.22	64.41
C10	54.83	205.0	15°19'27"	27.58	54.67
C11	121.05	500.00	13°52'18"	60.82	504.05
C12	547.45	1757.00	17°51'05"	525.95	545.22
C13	39.27	25.00	90°00'00"	25.00	35.36
C14	23.56	15.00	90°00'00"	15.00	21.21

STATE OF TEXAS
COUNTY OF GALVESTON

WE, Nuway Corp., Bay Colony Athletic Center, LLC, and International Bank of Commerce, owners of the 13.067 acre tract described in the above and foregoing map of 646 Commercial, to oil lines, dedications, restrictions and notations of said plats or plot and hereby dedicate to the use of the public forever, all streets, easements, and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs and assigns to warrant and forever defend the title to the land so described.

FURTHER, we do hereby dedicate for public utility purposes an unobstructed aerial easement five (5) feet in width from a plane twenty (20) feet above the ground level upward, located adjacent to all public utility easements shown herein.

FURTHER, we do hereby covenant and agree that all of the property within the boundaries of this plot shall be restricted to provide that drainage structures under private driveways shall backwater and in no instance have a drainage opening of less than one and three quarters (1 3/4) square feet (16" diameter) with culverts or bridges to be provided for all private driveways and walkways crossing such drainage facilities.

FURTHER, we do hereby dedicate to the public a strip of land fifteen (15) feet wide on each side of the centerline of any and all bays, creeks, gulches, draws, sloughs, or other natural drainage courses located in said plot, as easements for drainage purposes, giving League City, Texas, Galveston County or any other governmental agency the right to enter upon said easements at any and all times for the purpose of construction and maintenance of drainage facilities.

FURTHER, we do hereby covenant and agree that all of the property within the boundaries of this plot and adjacent to any drainage easement, ditch, gully, creek or natural drainage way, planting and other obstructions to the operation and maintenance of the drainage facility and such obtruding property shall not be permitted to drain directly in the easement except by means of an approved drainage structure.

IN TESTIMONY WHEREOF, Nuway Corp. has caused these presents to be signed by Tyler Todd, President, this _____ day of _____ 2004.

NUWAY CORP.

By: _____
Tyler Todd
President

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Tyler Todd, President, Nuway Corp., respectively known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed, and in the capacity therein and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____ 2004.

Notary Public in and for _____ County, Texas
My Commission Expires: _____

IN TESTIMONY WHEREOF, Bay Colony Athletic Center, LLC has caused these presents to be signed by Michael P. Ross, President, this _____ day of _____ 2004.

BAY COLONY ATHLETIC CENTER, LLC

By: _____
Michael P. Ross
President

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Michael P. Ross, President, Bay Colony Athletic Center, LLC, respectively known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein set out, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____ 2004.

Notary Public in and for _____ County, Texas
My Commission Expires: _____

IN TESTIMONY WHEREOF, International Bank of Commerce has caused these presents to be signed by Jay Rodgers, President, this _____ day of _____ 2004.

INTERNATIONAL BANK OF COMMERCE

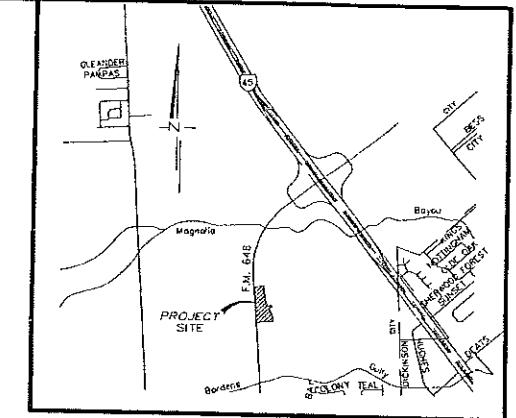
By: _____
Jay Rodgers
President

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Jay Rodgers, President, International Bank of Commerce, respectively known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein set out, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____ 2004.

Notary Public in and for _____ County, Texas
My Commission Expires: _____



Vicinity Map
NTS

This is to certify that the City Planning and Zoning Commission of the City of League City, the State of Texas and the ordinances of the City of League City as shown thereon and authorized the recording of this plat this _____ day of _____ 2004.